Single Bench (1)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 4585 /2004

PETITIONER

Mahanand Bairagi, aged about 25 years, son of Shri Mahadev Bairagi, student, (Roll No. 14101729) resident of – Durgapur Colony, Tah. Dharamjaigarh, Distt. Raigarh, presently at Hydrabad (Andhra Pradesh), through : His father Mahadev Bairagi, aged about 52 years, son of Manindra Bairagi, resident of – Durgapur Colony, Tah. Dharamjaigarh, Distt. Raigarh (Chhattisgarh)

P.R. No. 4570/04 Presented by Sh. A.D. Bairagi dated 23/11/04

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, through : the Secretary, Department of Higher Secondary School Education, Dau Kalyan Singh Bhawan, Raipur (C.G.)

2. Secretary, Board of Higher Secondary School Examination, Mantralay, Raipur (Chhattisgarh)

3. The Secretary, Board of Higher Secondary School Examination, Madhya Pradesh, Vallabh Bhawan, Bhopal (MP)

4. The Principal, Government Higher Secondary School, Dharamjaigarh, District – Raigarh (Chhattisgarh)

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WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA,

XI-HC-22

(4)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 4585/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

05.01.2005

Shri A.N. Bhakta, counsel for the petitioner.

Smt. Fouzia Mirza, Panel Lawyer for respondent No.1.

The petitioner has preferred this petition under Articles 226 & 227 of the Constitution of India being aggrieved by the inaction on the part of the respondent No.2 on the representation made by the petitioner to correct his date of birth in the 10th class mark-sheet issued by respondent No.2.

The case of the petitioner is that he was the regular student of Class-10th and was studying in Government Higher Secondary School, Dharamjaigarh, District Raigarh. The petitioner's actual date of birth is 1.7.1979, which is evident from the mark sheets of primary & middle School (Annexure P-3), whereas in the Class 10th mark-sheet his date of birth has been wrongly mentioned as 1.7.1975.

It appears that inadvertently by a clerical mistake the petitioner's date of birth has been mentioned as 1.7.1975 by respondent No.2 in Class-10th mark-sheet, against which the petitioner made a representation on 17.10.2002 but so far, respondent No.2 has not taken any action.

Learned counsel for the petitioner submitted that the petitioner may be allowed to make a fresh representation to respondent No.2 and respondent No.2 be directed to decide the same after considering all his grievances, to which learned Panel Lawyer has no objection.

XI-HC-22

(22)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

Having heard learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a fresh representation along with all the relevant documents to respondent No.2 and in turn respondent No.2 after considering all the grievances raised by the petitioner and documents submitted by him in support of his representation shall pass a reasoned order in an objective manner within a period of three months from the date of receipt of this order.

If respondent No.2 feels it necessary that before deciding the representation a report of the concerned school where the petitioner was studying is necessary, then he can obtain the same from that school.

With the above direction, the petition stands disposed of.

Consequently, M.W.P. No.4915/04 & I.A. Nos.9162/04 & 9163/04 also stand disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

Roshan/-

[पीछे देखिये